

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Shlomo YITZCHAIK

Serial No.: 09/966,745

Filing Date: October 1, 2001

For: MOLECULAR LAYER EPITAXY METHOD AND

Application Division

ATTN: BOX MISSING PARTS

Washington, D.C.

Confirmation No. 3709

April 2, 2002

LATE SUBMISSION OF FILING FEE AND/OR DECLARATION
FILED UNDER 37 CFR 1.53(b)

HON. COMMISSIONER OF PATENTS

Washington, D.C. 20231

Sir:

The present communication is in response to the "NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION..." dated November 2, 2001.

[XX] Attached hereto is an executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title and filing date.

[XX] Applicant claims small entity status. See 37 CFR 1.27.

[XX] Substitute drawings in compliance with 37 CFR 1.84.

[] Preliminary Amendment and Statements in Support of Filing and Submissions in Accordance with 37 C.F.R. '1.821-1.825.

[] A certified copy of priority document no. _____, filed _____, is also attached. Priority is claimed.

[XX] An Information Disclosure Statement with 08A-1449 and 1 reference is also attached.

[XX] Certain documents were previously cited or submitted to the Patent and Trademark Office in the following prior application 09/273,659, which is relied upon under 35 USC §120. Applicants identify these documents by attaching hereto a form PTO/SB/08A listing these documents, and request that they be considered and made of record in accordance with 37 CFR §1.98(d). Per Section 1.98(d), copies of these documents need not be filed in this application.

The following fee is calculated below:

	(Col. 1)	(Col. 2)	SMALL ENTITY			OTHER THAN SMALL ENTITY	
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	OR	RATE	FEE
BASIC FEE				\$ 370.00	OR		\$740.00
TOTAL CLAIMS	56 - 20	36	X 9 =	\$324.00		X 18 =	\$
INDEP. CLAIMS	4 - 3	1	X 42 =	\$ 42.00		X 84 =	\$
] MULTIPLE DEPENDENT CLAIMS PRESENTED			+ 135 =	\$		+ 270 =	\$
If the difference in Col. 1 is less than 0, enter "0" in Col. 2			TOTAL	\$736.00		TOTAL	\$740.00

[] Surcharge for late filing of English translation \$ 130.00

[XX] Late filing of Declaration surcharge in the amount of:

Small Entity [] \$65.00 Other than Small Entity [XX] \$130.00

[XX] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a).

The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

Small Entity

Response Filed Within

[] First - \$ 55.00

[] Second - \$ 200.00

[XX] Third - \$ 460.00

[] Fourth - \$ 720.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

[] First - \$ 110.00

[] Second - \$ 400.00

[] Third - \$ 920.00

[] Fourth - \$1,440.00

Month After Time Period Set

[XX] Conditional Petition for Extension of Time:

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

[] Check No. _____ in the amount of \$ _____ is enclosed to cover the above fees.

[XX] Credit Card Payment Form, PTO-2038, authorizing payment in the amount of \$801.00 is enclosed to cover the fees.

[XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

BROWDY AND NEIMARK, P.C.
Attorneys for Applicant(s)

By:

Sheridan Neimark

Registration No. 20,520

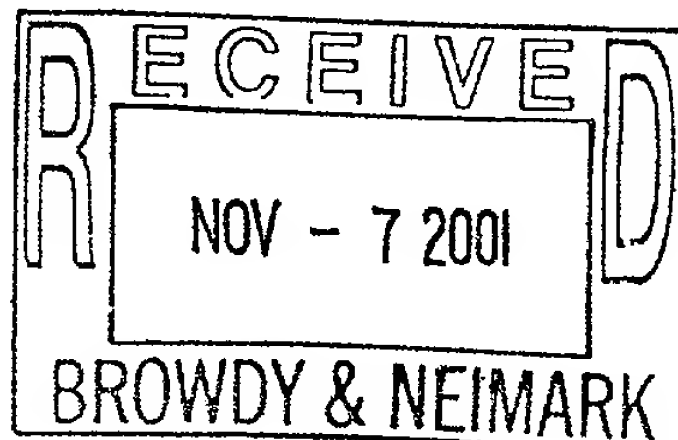


UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/966,745	10/01/2001	Shlomo Yitchaik	BURTMAN=1A

001444
BROWDY AND NEIMARK, P.L.L.C.
624 NINTH STREET, NW
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WASHINGTON, DC 20001-5303



CONFIRMATION NO. 3709

FORMALITIES LETTER



OC000000007012170

Date Mailed: 11/02/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

04/03/2002 BABRAH1 00000146 09966745

FILED UNDER 37 CFR 1.53(b)

01 FC201	370.00 DP
02 FC205	65.00 DP
03 FC203	324.00 DP
04 FC202	42.00 DP

Filing Date Granted

MSP & DRG =
2JA2002

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- Total additional claim fee(s) for this application is \$366.
 - \$324 for 36 total claims over 20.
 - \$42 for 1 independent claims over 3.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 801.**

DOCKETED

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e));